

1 PLANNING COMMISSION
2 RESOLUTION NO. 2005-P50

3 A RESOLUTION OF THE PLANNING COMMISSION OF THE
4 CITY OF OCEANSIDE, CALIFORNIA APPROVING A
5 REGULAR COASTAL PERMIT ON CERTAIN REAL
6 PROPERTY IN THE CITY OF OCEANSIDE

6 APPLICATION NO: RC-2-05
7 APPLICANT: California Department of Transportation (Caltrans) District 11
8 LOCATION: State Route 76 between I-5 and 640 meters east of Loretta Street

9 THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA DOES
10 RESOLVE AS FOLLOWS:

11 WHEREAS, there was filed with this Commission a verified petition on the forms
12 prescribed by the Commission requesting a Regular Coastal Permit under the provisions of
13 Articles 43 of the Zoning Ordinance of the City of Oceanside to permit the following:

14 construction of a concrete median barrier from I-5 to approximately 640 meters east of
15 Loretta Street;

16 on certain real property described in the project description.

17 WHEREAS, the Planning Commission, after giving the required notice, did on the 12th day
18 of September, 2005 conduct a duly advertised public hearing as prescribed by law to consider said
19 application.

20 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State
21 Guidelines thereto; a Categorical Exemption has been prepared for this project and states that the
22 project would not have any major significant adverse effect upon the environment;

23 WHEREAS, studies and investigations made by this Commission and in its behalf reveal
24 the following facts:

25 FINDINGS:

26 For the Regular Coastal Permit:

- 27 1. The proposed project is consistent with the objectives and policies of the Local Coastal
28 Program. Specifically, the project will facilitate and enhance the public safety on State
29 Route 76.
2. The proposed project conforms to the San Luis Rey River Land Use Element of the

1 Local Coastal Program in that the median barrier will not have adverse impacts on water
2 quality, visual resources, biological resources and cultural resources. The project is
3 designed to improve and enhance public safety in Oceanside. The project will not
4 obstruct any existing, planned or required public access; therefore, the project is in
5 conformance with the policies of Chapter 3 of the Coastal Act.

6 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
7 approve Regular Coastal Permit (RC-2-05) and subject to the following conditions:

8 **Engineering:**

- 9 1. The Caltrans contractor shall monitor, supervise, and control all construction and
10 construction-supportive activities so as to prevent these activities from causing a public
11 nuisance and insuring strict adherence to the following points as inclusive, but not
12 necessarily limited to, construction responsibilities:
- 13 a) Dirt, debris, and other construction material shall not be deposited on any public
14 street or within the City's stormwater conveyance system.
 - 15 b) All construction staging areas shall be as far as possible from any existing
16 residential development. The construction site shall accommodate the parking of
17 all motor vehicles used by persons working at or providing deliveries to the site.
- 18 2. Sight distance requirements at all street intersections shall conform to the intersection sight
19 distance criteria as provided by the California Department of Transportation Highway
20 Design Manual.
- 21 3. A pre-construction meeting including the Caltrans projects manager, the Caltrans
22 contractor, the City Public Works inspector, and City Environmental Planner shall be
23 completed prior to the start of any work for the approved project. The location of any
24 construction staging area, term of property use, and the implementation of the project
25 conditions of approval (including any and all conditions imposed by any agency having
26 permit authority over the project) as required by this resolution, shall be confirmed at the
27 pre-construction meeting.
- 28 4. Grading and drainage facilities shall be designed to adequately accommodate the local
29 stormwater runoff and shall be in accordance with the Caltrans NPDES Standards and as
directed by the State Engineer.

- 1 5. The project shall comply with all applicable regulations established by the United States
2 Environmental Protection Agency (USEPA) as set forth in the National Pollutant
3 Discharge Elimination System (N.P.D.E.S.) permit requirements for urban runoff and
4 stormwater discharge and any regulations adopted by the City pursuant to the N.P.D.E.S.
5 regulations or requirements. The construction shall comply with all the provisions of the
6 N.P.D.E.S. and the Clean Water Program during and after all phases of construction,
7 including but not limited to: grading and street and landscaping improvements. The
8 Caltrans contractor shall comply with all relevant regulations, when they become
9 effective, including but not limited to, incorporation into the design and implementation
10 of temporary structural Best Management Practices and non-structural mitigation
11 measures that would reduce pollution of stormwater runoff to the maximum extent
12 practicable.
- 13 6. Sediment, silt, grease, trash, debris, and/or pollutants shall be collected on-site and
14 disposed of in accordance with all state and federal requirements, prior to stormwater
15 discharge either off-site or into the City drainage system.

16 Planning and Environmental Impact Mitigation:

- 17 7. This Regular Coastal Permit shall expire on September 12, 2007 unless implemented as
18 required by the Zoning Ordinance.
- 19 8. This Regular Coastal Permit approves only the following: construction of a concrete
20 median barrier in the coastal zone between I-5 and approximately 640 meters east of
21 Loretta Street. The scope of the approved project is shown on the plans and exhibits
22 presented to the Planning Commission for review and approval. No deviation from the
23 approved project and the approved project plans and exhibits shall occur without Planning
24 Department approval. Substantial deviations shall require a revision to the Regular Coastal
25 Permit or a new Regular Coastal Permit.
- 26 9. The Caltrans project manager shall ensure that the Caltrans contractor is provided with
27 copies of the resolution(s) of approval, and environmental documentation for the project.
28 The contractor shall be responsible to implement and adhere to the requirements of the
29 project approval.

1 10. Failure to meet any conditions of approval for this development shall constitute a violation
2 of the Regular Coastal Permit.

3 11. Unless expressly waived, all current zoning standards and City ordinances and policies
4 in effect at the time of issuance of any construction permits are required to be met by this
5 project.

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12. Material and waste Best Management Practices (BMPs) during site grading and construction such as solid, sanitary, hazardous, contaminated soil, concrete construction and construction waste management, spill prevention, appropriate material delivery and storage, employee training, dust control, and equipment cleaning, maintenance and fueling shall be strictly enforced.

PASSED AND ADOPTED Resolution No. 2005-P50 on September 12, 2005 by the following vote, to wit:

AYES: Chadwick, Neal, Parker, Todd and Horton

NAYS: None

ABSENT: Nack

ABSTAIN: None



Nancy Chadwick, Chairperson
Oceanside Planning Commission

ATTEST:



Gerald S. Gilbert, Secretary

I, GERALD S. GILBERT, Secretary of the Oceanside Planning Commission, hereby certify that this is a true and correct copy of Resolution No. 2005-P50.

Dated: September 12, 2005

CATEGORICAL EXCLUSION/PROGRAMMATIC CATEGORICAL EXCLUSION DETERMINATION FORM

APR 07 2005

Planning Department

11-SD-76

0.1/3.5 (0.1/2.2)

25920K

Dist.-Co.-Rte. (or Local Agency)

K.P./K.P.(P.M/P.M.)

E.A. (State project)

Proj. No. (Local project)
(Fed.Prog. Prefix Proj. No., Agt. No.)

PROJECT DESCRIPTION: (Briefly describe project, purpose, location, limits, right-of-way requirements, and activities involved.)

Located on SR-76 in the City of Oceanside, San Diego County; project proposes to construct concrete median barrier (Type 80s) on SR-76 from 0.1km east of I-5 to Airport Rd to reduce the number of cross-median accidents at this location. Scope of work includes upgrading existing drainage facilities, adding metal beam guardrail in one location, paving median area, and installing two signs. No new Right-of-Way required.

CEQA COMPLIANCE (for State Projects only)

Based on an examination of this proposal, supporting information, and the following statements (See 14 CCR 15300 et seq.):

- If this project falls within exempt class 3, 4, 5, 6 or 11, it does not impact an environmental resource of hazardous or critical concern where designated, precisely mapped and officially adopted pursuant to law.
- There will not be a significant cumulative effect by this project and successive projects of the same type in the same place, over time.
- There is not a reasonable possibility that the project will have a significant effect on the environment due to unusual circumstances.
- This project does not damage a scenic resource within an officially designated state scenic highway.
- This project is not located on a site included on any list compiled pursuant to Govt. Code § 65962.5 ("Corone List").
- This project does not cause a substantial adverse change in the significance of a historical resource.

CALTRANS CEQA DETERMINATION

☐ Exempt by Statute (PRC 21080)

Based on an examination of this proposal, supporting information, and the above statements, the project is:

☒ **Categorically Exempt Class 1**, or General Rule exemption (This project does not fall within an exempt class, but it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment (CCR 15081.0)(3))

Signature: Environmental Office Chief

Date

Signature: Project Manager

Date

NEPA COMPLIANCE (23 CFR 771.117)

Based on an examination of this proposal, supporting information, and the following statements:

- This project does not have a significant impact on the environment as defined by the NEPA.
- This project does not involve substantial controversy on environmental grounds.
- This project does not involve significant impacts on properties protected by Section 4(f) of the DOT Act or Section 106 of the National Historic Preservation Act.
- In non-attainment or maintenance areas for Federal air quality standards; this project comes from a currently conforming plan and Transportation Improvement Program or is exempt from regional conformity.
- This project is consistent with all Federal, State, & local laws, requirements or administrative determinations relating to the environmental aspects of this action.

CALTRANS NEPA DETERMINATION

Based on an examination of this proposal, supporting information, and the statements above under "NEPA Compliance", it is determined that the project is a:

☒ **PROGRAMMATIC CATEGORICAL EXCLUSION (PCE):** Based on the evaluation of this project and supporting documentation in the project files, all the conditions of the November 18, 2003 Programmatic Categorical Exclusion Agreement have been met.

☐ **CATEGORICAL EXCLUSION (CE):** For actions that do not individually or cumulatively have a significant environmental effect and are excluded from the requirement to prepare an Environmental Assessment (EA) or Environmental Impact Statement (EIS). Require FHWA determination.

Signature: Environmental Office Chief

Date

Signature: Project Manager/DLA Engineer

Date

FHWA DETERMINATION

Based on the evaluation of this project and the statements above, it is determined that the project meets the criteria of and is properly classified as a Categorical Exclusion (CE).

Signature: FHWA Transportation Engineer

Date